

REMARKS

Applicants respectfully request favorable reconsideration of the above-captioned application as amended.

By this amendment, claims 1-19 remain presented for examination. Claims 1-3, 7, 9-11, 13, 15 and 16 have been amended. Claims 1, 9 and 16 are the independent claims. Favorable reconsideration is respectfully requested.

Initially, Applicants thank the Examiner for the indication that claims 16-19 are allowed and that 9-11 would be allowable if rewritten to correct antecedent basis.

In the Office Action, the Examiner required updating of the status of the copending applications recited in the specification. As shown above, Applicants have updated the status of those of the applications whose status has changed. Applicants respectfully note that the filing date already is given for each copending application. The Examiner is respectfully requested to approve these corrections.

In the Office Action, claims 1-8 and 12-15 were rejected under 35 U.S.C. 112, second paragraph, for faulty antecedent basis. As shown above, Applicants have amended the claims to clarify the antecedent basis and to correct certain typographical errors. No substantive change has been made in the intended scope of the claims. The Examiner is respectfully requested to approve the amended claims.

In the Office Action, claims 1-8 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10 of copending Application No. 09/933,265. The Office Action asserts that, "Applicant's claims 1-8 merely broaden the scope of copending application 09/933,265 claims 1-10." Applicants

respectfully traverse. Applicants note that present independent claim 1 contains recitations not found in pending claims 1-10 of the copending application, including but not limited to:

“the payload containing an identifier previously assigned for designating a particular group of one or more nodes as recipients of a message, wherein a plurality of nodes is divided into one or more groups, including the particular group ... wherein each node receiving the particular packet but not previously assigned the identifier contained therein ignores the packet”

Similarly, Applicants note that present independent claim 9 contains recitations not found in pending claims 1-10 of the copending application, including but not limited to:

“the payload containing an identifier which has been previously assigned to a particular group of one or more nodes, ... (b) at a given node, ignoring the particular packet if the identifier does not match any identifier assigned to the given node, and (c) executing the particular message contained in the particular packet if the identifier matches an identifier assigned to the given node.”

Similarly, Applicants note that present independent claim 16 contains recitations not found in pending claims 1-10 of the copending application, including but not limited to:

“an identifier assigned to a particular group of one or more to-be-managed nodes, the identifier being chosen from a set of identifiers, wherein each identifier of the set is uniquely assigned to a different group of to-be-managed nodes, wherein plural to-be-managed nodes are divided into one or more of the groups”

Therefore, Applicants respectfully submit that claims 1-8 of the present application are not obvious in view of claims 1-10 of the copending application. The Examiner is respectfully requested to withdraw this provisional rejection.

In view of the above amendments and remarks, Applicants respectfully submit that amended claims 1-19 herein are in proper form and patentably distinguished from the cited prior art.

Applicants respectfully submit that this application is now in condition for allowance. Accordingly, the Examiner is respectfully requested to allow claims 1-19 and to pass this case to issue.

If any fee is due for this filing, please charge the LARGE ENTITY fee therefor to Deposit Account No. 16-2500 of the undersigned.

Applicants' undersigned attorney may be reached by telephone at (212) 969-3314 or by facsimile at (212) 969-2900. Please direct all correspondence to Customer No. 21890 at the address provided below.

Respectfully submitted

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